



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/829,119

04/20/2004

Stuart A. Fraser

99-1002-C1

6481

63710 7590 03/24/2010  
INNOVATION DIVISION  
CANTOR FITZGERALD, L.P.  
110 EAST 59TH STREET (6TH FLOOR)  
NEW YORK, NY 10022

EXAMINER

LOFTUS, ANN E

ART UNIT

PAPER NUMBER

3691

MAIL DATE

DELIVERY MODE

03/24/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

*Ex parte* STUART A. FRASER; ANDREW C. GILBERT; PHILIP M.  
GINSBERG; GLENN D. KIRWIN; HOWARD W. LUTNICK;  
MICHAEL E. WILLIAMS

---

Application 10/829,119  
Technology Center 3600

---

Mailed: March 24, 2010

---

Before MARSHA TWITTY, *Reviewing Paralegal, Board of Patent Appeals  
and Interferences.*

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received by the Board of Patent Appeals and Interferences on March 22, 2010. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on March 16, 2010. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 C.F.R. § 41.43(a)(1) and MPEP § 1208, part II.

CONCLUSION

Accordingly, it is ORDERED that the application be returned to the Examiner to:

- 1) consider the Reply Brief filed March 16, 2010, as indicated above;  
and,
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

MAT

Innovation Division  
Cantor Fitzgerald, L. P.  
110 East 59<sup>th</sup> Street (6<sup>th</sup> Floor)  
New York NY 10022